

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

RICHARD MARTIN,

Plaintiff,

vs.

**JOBO'S, INC., d/b/a BJ Roosters et
al.,**

Defendants.

Civil Action No. 1:13-cv-04242-RWS

**CONSENT MOTION FOR AN EXTENSION OF TIME TO FILE STATUS REPORT
AND JOINT PROPOSED SCHEDULING ORDER**

Plaintiff Richard Martin, with the consent of Defendants, hereby requests an extension of time to file a Status Report and Joint Proposed Scheduling Order, showing the Court as follows:

1. Plaintiff filed this FLSA Action on December 23, 2013. [Dkt. 1].
2. The Parties engaged in discovery through June 2013.
3. On a motion of the Parties [Dkt. 12], the Court stayed all proceedings pending mediation through October 1, 2014. [Dkt. 13].
4. Mediation was held on August 26, 2014, but did not result in settlement. [Dkt. 15].

5. On October 8, 2014, the Court issued an Order directing the parties “to submit a status report to the Court, and if the case is not settled, submit a proposed scheduling order.” [Dkt. 19].
6. On April 23, 2015, the Court issued an Order to Show Cause within 14 days why this action should not be dismissed without prejudice. [Dkt. 22].
7. On May 7, 2015, Plaintiff filed a Response to the Court’s Order to Show Cause. [Dkt. 23].
8. On May 8, 2015, Plaintiff obtained new counsel and Charles R. Bridgers and Matthew W. Herrington filed their notice of appearance as counsel for Plaintiff. [Dkt. Nos. 24–25].
9. Plaintiff’s new counsel have conferred with Defendants’ counsel regarding submission of a status report and joint proposed scheduling order, and learned that Defendants’ lead counsel will be out of town until May 14, 2015.
10. Plaintiff and Defendants plan to hold a telephone conference no later than Wednesday, May 20, 2015 and to submit a status report and joint proposed scheduling order no later than Friday, May 22, 2015.

11. Plaintiff, with the consent of Defendants, therefore respectfully requests that the Court grant a brief extension of time through May 22, 2015 to comply with the Court's Orders and file the required documents.
12. This request is made in good faith and is not made for the purposes of delay.
13. A proposed order is attached.

Respectfully submitted,

**DELONG CALDWELL, BRIDGERS &
FITZPATRICK, LLC**

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/s/ Matthew W. Herrington
Charles R. Bridgers
Georgia Bar No. 080791
Matthew W. Herrington
Georgia Bar No. 275411

Counsel for Plaintiff

Pursuant to LR 7.1 D. NDGa, the undersigned counsel certifies that the foregoing motion has been prepared in 14 point Times New Roman font, one of the font selections in LR 5.1B NDGa.

/s/ Matthew W. Herrington
Matthew W. Herrington
Georgia Bar No. 275411

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CERTIFICATE OF SERVICE

I hereby certify that on this day I filed the foregoing document in the Court's CM/ECF system, thereby ensuring electronic service upon all counsel of record.

Dated: May 12, 2015.

/s/ Matthew W. Herrington

Matthew W. Herrington

Georgia Bar No. 275411